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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,916	09/14/2000	Takeo Hayase	02887.0190	9502

22852 7590 03/28/2003

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EXAMINER

NAHAR, QAMRUN

ART UNIT PAPER NUMBER

2124

DATE MAILED: 03/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/661,916

Applicant(s)

HAYASE, TAKEO

Examiner

Qamrun Nahar

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 have been examined.

Drawings

2. Figures 31, 32A, and 32B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 14-17 are objected to because of the following informalities: these claims contain the limitation "prepared every kind" at several locations of the claims. This limitation should be "prepared for every kind". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 recites the limitation "said holding part" in line 6 of the claim. There is insufficient antecedent basis for this limitation in the claim. This limitation is interpreted as "said data holding part".

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mason (U.S. 5,668,998).

Per Claim 1:

The Mason patent discloses:

- a method for constructing a service providing system using a framework for service providing system which provides a service for an object system (“A framework of service objects is provided which enables a programmer to easily develop application methods which provide DICOM services or other custom services. An object-oriented application interface is provided. The objects provide a map between DICOM standard service objects and a group of associated objects within a framework. The associated service objects work together to provide a DICOM service. The service objects comprise a method or a computer program which operates in conformance with the DICOM standard.” in column 1, lines 10-19 and column 1, lines 66-67 to column 2, lines 1-2)

Art Unit: 2124

- preparing a framework for service providing system, which includes a data holding part for holding data relating to an object system (“The present invention provides a framework of service interface objects which map onto a service described in the DICOM standard. Each service interface object, when instantiated, is uniquely associated with a user handler and a provider handler ... An implemented DICOM service, or set of objects which implement the DICOM service, is placed in the framework of objects. The DICOM service collection of objects is then available to an application programmer accessing the framework in implementing the same or a similar DICOM service.” in column 2, lines 3-7 and column 7, lines 43-48)

- a user interface part for receiving instructions from a user and for presenting data to the user (“An advantage of the API toolkit framework of the present invention is that the framework of the present invention provides a set of appropriate DICOM values from which an application programmer selects to create an application which provides a particular DICOM service ... Another advantage of the API tool kit framework is that it enables an application programmer to customize individual objects in the framework or to alter parameter values and object behavior. Modification accommodates changes to the service interface objects provided by the framework.” in column 3, lines 16-29)

- an object system interface part for exchanging data between the object system interface part and said object system in accordance with a predetermined protocol (“An instantiation of a service object creates a unique relationship between the instantiated Service object and a Service Class Provider (SCP) and Service Class User (SCU) pair. The SCP/SCU pair provide

Art Unit: 2124

scheduling of events and messages to perform the requested service ... The SCU/SCP pair ensure that messages and events are in appropriate DICOM standard format in conformance with the DICOM standard protocol.” in column 2, lines 29-42)

- an integrated control part for controlling said data holding part, said user interface part and said object system interface part (“Handler objects (SCUs/SCPs) enable an application to send and return calls to and from other applications ... A SCU/SCP (service user handler/service provider handler) pair exists for each DICOM user service. The SCU, service user handler initiates a DICOM message service request. The SCP, service provider handler responds to the service request.” in column 2, lines 43-50)

- preparing a plurality of classes on the basis of each of said data holding part, said user interface part, said object system interface part and said integrated control part of said framework for service providing system; associating said classes with each other; and defining a sequence carried out between the respective classes (“Each service is functionally distributed among atomic service units, each unit representing the smallest portion of a service provided by the present invention. Each atomic unit is represented by a base class, from which service objects are derived ... A base class for handler object is provided from which an application subclasses to generate handler objects. Sub-classing enables an application to customize the actions taken by a service interface object.” in column 57-67 to column 3, lines 1-4).

Art Unit: 2124

Per Claim 2:

The Mason patent discloses:

- wherein said integrated control part of said framework for service providing system controls data which are held in said data holding part, and connects said data holding part with said user interface part to provide various services for said object system on the basis of data which are given from said user or said object system (column 2, lines 43-50 and column 2, lines 64-67 to column 3, lines 1-15).

Per Claim 3:

The Mason patent discloses:

- wherein said object system interface part of said framework for service providing system converts external data, which are exchanged between said object system interface part and said object system, into a format of intermediate data which is independent of said protocol, and said integrated control part of said framework for service providing system converts said intermediate data into a format of internal data which is handled in said service providing system, said data holding part and user interface part of said framework for service providing system handling said internal data which have been converted by said integrated control part (column 8, lines 3-13).

Per Claim 4:

Art Unit: 2124

The Mason patent discloses:

- wherein said service providing system is a monitoring system for monitoring an external apparatus serving as said object system (column 1, lines 27-29 and column 2, lines 13-15).

Per Claim 5:

The Mason patent discloses:

- wherein said service providing system is a control system for controlling a controlled apparatus serving as said object system (column 1, lines 27-29 and column 2, lines 10-21).

Per Claim 6:

The Mason patent discloses:

- wherein said service providing system is an information system for exchanging information between the service providing system and an information system serving as said object system (column 2, lines 35-42).

Per Claim 7:

This is a system version of the claimed method discussed above (claims 1 and 2), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above.

Thus, accordingly, this claim is also anticipated by Mason.

Per Claim 8:

This is a system version of the claimed method discussed above, claim 3, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above.

Thus, accordingly, this claim is also anticipated by Mason.

Per Claims 9-10:

These are computer readable recording medium versions of the claimed system discussed above (claims 7 and 8, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Mason.

Per Claim 11:

This is another version of the claimed computer readable recording medium discussed above (claims 9 and 10), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Mason.

Per Claim 12:

This is a computer readable recording medium version of the claimed system discussed above, claim 7, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Mason.

Art Unit: 2124

Per Claim 13:

This is a computer readable recording medium version of the claimed system discussed above, claim 8, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Mason.

Per Claim 14:

The Mason patent discloses:

- wherein each of said data holding part, said object system interface part and said integrated control part includes a class which is prepared for every kind of object system, and said user interface part includes a class which is prepared for every kind of screens for interface (column 2, lines 57-67 to column 3, lines 1-15).

Per Claim 15:

The Mason patent discloses:

- wherein said class included in said data holding part is prepared for every kind of data, which are used in said object systems, in addition to the kind of said object systems (column 2, lines 57-61).

Per Claim 16:

The Mason patent discloses:

Art Unit: 2124

- wherein said class included in said integrated control part is prepared for every kind of services, which are provided for said object systems, in addition to the kind of said object systems (column 2, lines 64-67 to column 3, lines 1-4).

Per Claim 17:

The Mason patent discloses:

- wherein said class included in said integrated control part includes an upper class, which is prepared for every kind of said object systems, and a lower class which is prepared for every kind of services which are provided for said object systems under said upper class (column 2, lines 64-67 to column 3, lines 1-4).

Per Claim 18:

The Mason patent discloses:

- wherein a class included in said integrated control part controls a class included in said data holding part (column 2, lines 43-50 and column 2, lines 57-67 to column 3, lines 1-4)

- a class included in said user interface part updates and refers to said class included in said data holding part; data, which are given from said user and said object system, are exchanged between said class included in said user interface part and said class included in



Art Unit: 2124

said integrated control part; and data, which relate to a service provided for said object system, are exchanged between said class included in said integrated control part and said class included in said object system interface part (column 3, lines 5-15).

Per Claim 19:

The Mason patent discloses:

- wherein when service providing instructions for said object system are given to a class included in a user interface part, said class included in said user interface part reflects data, which relate to service providing instructions, in a class included in said holding part, and gives a class included in said integrated control part notice of said service providing instructions (column 2, lines 35-50 and column 3, lines 5-15)**
- said class included in said integrated control part acquires data of said class included in said data holding part, and transmits data of said class, which is included in said data holding part, to a class included in said object system interface part, said class included in said object system interface part adding data, which relate to a protocol, to data received from said integrated control part (column 2, lines 64-67 to column 3, lines 1-4).**

Per Claim 20:

The Mason patent discloses:

Art Unit: 2124

- wherein when service provided results from said object system are given to a class included in an object system interface part, said class included in said object system interface part deletes data, which relate to a protocol, from data received from said object system (column 8, lines 14-22)

- and gives a class, which is included in said integrated control part, notice of service provided results, said class included in said integrated control part reflecting data, which relate to service provided results, in a class included in said data holding part, and giving a class, which is included in said user interface, notice of service provided results, and said class included in said user interface part acquiring data, which relate to service provided results, from said class included in said data holding part (column 8, lines 34-67 to column 9, lines 1-18).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (703) 305-7699. The examiner can normally be reached on Mondays through Thursdays from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

Art Unit: 2124

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone number for the organization where this application or processing is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

QN
March 18, 2003



KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100